

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 17-cr-20323
Hon. Matthew F. Leitman

v.

KENDRICK JAQUA CURTIS,

Defendant.

/

**ORDER DENYING DEFENDANT’S MOTION FOR JUDICIAL
RECOMMENDATION (ECF No. 44) WITHOUT PREJUDICE**

Defendant Kendrick Jaqua Curtis is a federal inmate in the custody of the Federal Bureau of Prisons (the “BOP”). On March 1, 2018, Curtis pleaded guilty to one count of possession of a controlled substance with intent to deliver in violation of 21 U.S.C. § 841(a)(1) and one count of possessing a firearm in furtherance of a drug trafficking crime in violation of 18 U.S.C. § 924(c). (*See* Rule 11 Plea Agmt., ECF No. 30.) The Court subsequently sentenced Curtis to 72 months in custody. (*See* Judgment, ECF No. 34.)

On April 2, 2021, Curtis filed a motion in which he asks the Court to recommend that he be released to a Residential Reentry Center (“RRC”) upon his release from custody. (*See* Mot., ECF No. 44.) Even if the Court had the authority to make such a recommendation, Curtis has filed his motion too soon. The BOP is

the body that ultimately decides whether an inmate is eligible for early release to an RRC, and the BOP “does not evaluate an inmate for RRC placement until 17 to 19 months before his or her projected release date.” *United States v. Parks*, 2018 WL 3135940, at *1 (N.D. Ohio June 27, 2018). That is the appropriate time for an inmate to file a motion requesting a recommendation from the Court. (*See id.*) Here, Curtis’ projected release date is more than 17-to-19 months away. His motion is therefore premature.

Accordingly, for all of the reasons stated above, the Court **DENIES** Curtis’ motion (ECF No. 44) **WITHOUT PREJUDICE**. Curtis may re-file his motion when he is within 17-to-19 months of his release date. At that time, Curtis shall (1) provide the Court a full update on his disciplinary record while in custody, (2) provide the Court a list of all of the programming he took while in custody, (3) explain why he wants to be released to an RRC and how he believes that being released to an RRC will benefit his transition back into society, and (4) explain the full nature and circumstances of his offenses.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: May 7, 2021

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 7, 2021, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

(810) 341-9764